

AUSA: Lauren E. Phillips

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

SHAMEL DIXON HARDY,

Defendant.

24 MAG 3393

RULE 5(c)(3)
AFFIDAVIT

SOUTHERN DISTRICT OF NEW YORK, ss.:

KERSY CARTAGENA, being duly sworn, deposes and says that she is a Deputy United States Marshal with the United States Marshals Service ("USMS"), and states as follows:

On or about June 23, 2011, the grand jury for U.S. District Court for the Southern District of New York returned an indictment charging "Shamel Dixon Hardy" with conspiracy to distribute and possess with intent to distribute a controlled substance in violation of Title 21, United States Code, Sections 841(a)(1) and 846 (the "SDNY Indictment"). On or about January 21, 2014, "Shamel Dixon Hardy" pled guilty to Count One of the SDNY Indictment, and on or about August 11, 2014, "Shamel Dixon Hardy" was sentenced to a term of imprisonment of time served, and a term of supervised release of six years. On or about September 12, 2017, "Shamel Dixon Hardy" was convicted of violating the terms of his supervised release, for which he was sentenced to a new term of supervised release of five years with one year of home confinement with location monitoring. On or about June 12, 2019, supervised release for "Shamel Dixon Hardy" was transferred to the District of South Carolina.

On or about October 14, 2022, a U.S. Probation Officer in the District of South Carolina filed a Petition for Warrant or Summons for Offender Under Supervision, listing out two new specifications allegedly committed by "Shamel Dixon Hardy," and the Honorable Judge Richard Mark Gergel issued a warrant for his arrest. On or about October 19, 2022, "Shamel Dixon Hardy" appeared for a detention hearing in U.S. District Court for the District of South Carolina, and was released on bond. "Shamel Dixon Hardy" failed to appear at a status conference on or about November 9, 2022, and on or about November 30, 2022, the Honorable Judge Richard Mark Gergel issued another warrant for his arrest. A copy of the November 30, 2022 warrant for failure to appear is attached hereto and incorporated by reference herein as Exhibit A.

I participated in the processing of SHAMEL DIXON HARDY, the defendant, in the Southern District of New York. I believe that HARDY is the same person as "Shamel Dixon Hardy" who is wanted by the U.S. District Court for the District of South Carolina.

The bases for my knowledge and for the foregoing are, in part, as follows:

1. I am a Deputy United States Marshal with the USMS. I have been personally involved in determining whether SHAMEL DIXON HARDY, the defendant, is the same person as "Shamel Dixon Hardy," named in the November 30, 2022 arrest warrant from the U.S. District Court for the District of South Carolina. Because this Affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit every fact that I have learned. Where I report statements made by others, those statements are described in substance and in part, unless otherwise noted.

2. Based on my review of documents from the U.S. District Court for the District of South Carolina, I know that, on or about November 30, 2022, the U.S. District Court for the District of South Carolina issued a warrant for the arrest of "Shamel Dixon Hardy" (the "South Carolina Arrest Warrant"). The South Carolina Arrest Warrant was based on the defendant's failure to appear in court as directed.

3. On or about September 19, 2024, at approximately 1:40 p.m., I participated in the arrest of SHAMEL DIXON HARDY, the defendant, at the United States District Courthouse at 500 Pearl Street in Manhattan, New York, pursuant to the South Carolina Arrest Warrant.

4. Based on my participation in this arrest, my conversations with other law enforcement officers, and my review of law enforcement records, I believe that SHAMEL DIXON HARDY, the defendant, is the "Shamel Dixon Hardy" named in the South Carolina Arrest Warrant, for the reasons set forth below:

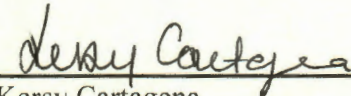
a. On or about September 19, 2024, HARDY was taken into federal custody and processed by the USMS. The USMS took HARDY's fingerprints and ran them through the USMS's investigative database. The fingerprint results from the USMS investigative database were linked to the name "Shamel Dixon Hardy" and to a particular Federal ID Number ("FID") and FBI number. The FID and FBI numbers associated with HARDY's fingerprints matched the corresponding information provided for the "Shamel Dixon Hardy" named in the South Carolina Arrest Warrant.

b. On or about September 19, 2024 while I was processing HARDY in connection with this arrest, he identified himself to me as "Shamel Hardy."

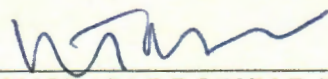
c. On or about September 19, 2024, while processing HARDY in connection with this arrest, I observed his appearance and observed that he appeared to be the same individual as in images in the investigative file connected with the South Carolina Arrest Warrant.

5. Accordingly, I believe that the "Shamel Dixon Hardy" named in the South Carolina Arrest Warrant is SHAMEL DIXON HARDY, the defendant.

WHEREFORE, I respectfully request that SHAMEL DIXON HARDY, the defendant, be imprisoned or bailed, as the case may be.


Kersy Cartagena
Deputy United States Marshal
United States Marshals Service

Sworn to before me this
20th day of September, 2024


THE HONORABLE ROBYN F. TARNOFSKY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES DISTRICT COURT

for the

District of South Carolina



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UNITED STATES MARSHALS
COLUMBIA, SC

United States of America

v.

Shamel Dixon Hardy

Case No. 2:19-CR-00559-RMG

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) Shamel Dixon Hardy

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☒ Order of the Court

This offense is briefly described as follows:

The defendant, Shamel Dixon Hardy, failed to appear for a hearing on November 9, 2022 for which he was properly noticed.

Date: 11/30/2022

Molly H. Cherry
Issuing officer's signature

City and state: Charleston, South Carolina

Hon. Molly H. Cherry, United States Magistrate Judge

Printed name and title

Return

This warrant was received on (date) NOV 30 2022, and the person was arrested on (date) _____
at (city and state) _____

Date: _____

Arresting officer's signature

Printed name and title